

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE NON JUDICIAL CIVIL FORFEITURE :
PROCEEDING REGARDING \$189,945 IN :
UNITED STATES CURRENCY SEIZED ON :
OR ABOUT JANUARY 13, 2023 :
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STIPULATION AND ORDER

23 Misc. 242

WHEREAS, on or about January 13, 2023, the Drug Enforcement Administration ("DEA") seized \$189,945 in United States currency from Renzo Lopez (the "Seized Currency");

WHEREAS, the DEA initiated an administrative forfeiture proceeding against the Seized Currency pursuant to Title 21, United States Code, Section 881, by timely sending written notice of its intent to forfeit the Seized Currency to all known interested parties;

WHEREAS, on or about June 28, 2023, the DEA received a claim from Renzo Lopez (the "Claimant"), asserting an interest in the Seized Currency;

WHEREAS, the DEA subsequently referred the matter to the United States Attorney's Office, Southern District of New York for judicial forfeiture;

WHEREAS, no other party has claimed an interest in the Seized Currency;

WHEREAS, the Claimant, by and through his counsel Juan D. Berrio, Esq., has provided the Government with information relating to his interest in the Seized Currency; and

WHEREAS, the Government and the Claimant have agreed to settle this matter without further litigation;

NOW, THEREFORE, IT IS HEREBY STIPULATED, AGREED AND ORDERED, by and between Damian Williams, United States Attorney for the Southern District of New York, by and through Assistant United States Attorney Tara La Morte, of counsel, and

the Claimant, by and through his attorney Juan D. Berrio, Esq., that:

1. The United States Marshals Service shall return \$139,945.00 of the Seized Currency to the Claimant by sending the settlement funds to Berrio & Berrio, P.A. – Trust Account in a manner consistent with the United States Marshals Service Automated Clearing House ("ACH") Form to be completed by the Claimant through his attorney, Juan D. Berrio, Esq.

2. Claimant hereby withdraws any and all claims of interest and/or petitions for remission with respect to the remaining amount of the Seized Currency, specifically, \$50,000 (the "Forfeited Funds") and waives all time limits set forth in 18 U.S.C. § 983 and any claim to further notice of forfeiture.

3. Upon entry of this Stipulation and Order, the Forfeited Funds shall be, and hereby are forfeited to the United States of America pursuant to Title 21, United States Code, Section 881 and Title 28, United States Code, Sections 1345 and 1355.

4. Claimant is hereby barred from asserting, or assisting others in asserting, any claim against the United States Attorney's Office for the Southern District of New York ("USAO-SDNY"), the Department of Justice ("DOJ"), the Drug Enforcement Administration ("DEA"), the United States Marshals Service ("USMS") or agents and employees of the USAO-SDNY, the DOJ, DEA, and the USMS in connection with the seizure and/or possession of the Seized Currency, including but not limited to any claim that there was no probable cause to seize and hold the Seized Currency, or for costs or attorney's fees.

5. The parties hereby waive all rights to challenge or contest the validity of this Stipulation and Order.

6. Further, this Stipulation and Order shall in no way constitute any

reflection upon the merits of any petition, claim and/or defenses that may be asserted respectively by the United States and the Claimant. Additionally, it is understood that this Stipulation and Order is not and should not be interpreted or construed as an admission of any wrongdoing by either party.

7. This Stipulation and Order constitutes the complete agreement of the parties and may not be amended without express written authorization from all parties.

8. This Court shall have exclusive jurisdiction over the interpretation and enforcement of this Stipulation and Order.

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9. The signature page of this Stipulation and Order may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By:

Tara La Morte
Tara La Morte
Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007
(212) 637-1041

7/24/2023

DATE

Renzo Lopez, Claimant

Renzo Lopez
Renzo Lopez, Claimant

21 July 2023
DATE

By:

Juan D. Berrio, Esq.
Juan D. Berrio, Esq.
7300 North Kendall Drive, Suite 520
Miami, Florida 33156
Attorney for Claimant, Renzo Lopez

7/22/2023
DATE

SO ORDERED:

HON.
UNITED STATES DISTRICT JUDGE

DATE